

Commissioners Court -February 2, 2010
NOTICE OF A MEETING OF THE
COMMISSIONERS COURT OF HAYS COUNTY, TEXAS



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners Court will hold a meeting at **9:00 A.M.** on the **2ND day of February, 2010**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

INVOCATION:

PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag
CALL TO ORDER /ROLL CALL

PRESENTATIONS & PROCLAMATIONS

PUBLIC COMMENTS

At this time **3-MINUTE** comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. Please Complete the Public Participation/ Witness Form in its Entirety.
NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS.

CONSENT ITEMS

The following may be acted upon in one motion. A Commissioner, the County Judge, or a Citizen
May request items be pulled for separate discussion and/or action

1	3	Approve payments of county invoices. HERZOG
2	4-8	Approve Commissioner Court Minutes of January 26, 2010 SUMTER/FRITSCH
3	9	Approve renewal agreement between Hays CISD and the Hays County Personal Health Department to provide for the use of the District's facilities in case of a public health emergency. SUMTER/HARGRAVES
4	10-15	Approval of an agreement between The University of Texas Health Science Center Nursing School and the Hays County Personal Health Department. SUMTER/HARGRAVES

ACTION ITEMS

SUBDIVISIONS

5	16-18	08-3-58 Resubdivision of a 10.13 acre portion of land, River Oaks of Wimberley, Unit 1, Section 2. Call for public hearing on February 23, 2010. CONLEY/GARZA
6	19-20	10-4-1 Polo Club Center Subdivision, Lot 1. Discussion and possible action to consider approval of Final Plat. FORD/GARZA

MISCELLANEOUS

7	21-25	Discussion and possible action to accept the annual racial profile report from Constable Ayres Precinct 3. CONLEY/AYRES
8	26-28	Discussion and possible action to appoint a small city representative to the Capital Area Metropolitan Planning Organization. SUMTER
9	29-31	Discussion and possible action to appoint commissioner(s) to the board of the Caldwell/Hays County Emergency Services District Number 1. BARTON
10	32-33	Discussion and possible action to pay \$1600 to Kathleen Mooney for a waterline easement at the Green Acres Bridge project site. CONLEY/BORCHERDING
11	34	Discussion and possible action to affirm a charge from the Commissioners Court to the Task Force on Records Management for Hays County. FORD
12	35	Discussion and possible action addressing the situational needs of the Interim Veterans Service Officer including transportation, equipment and personnel. FORD/MENDOZA
13	36-37	Discussion and possible action to allow Commissioner Ingalsbe to negotiate an informal agreement with the City of San Marcos regarding the emergency repair of railroad crossings on McCarty Lane, Posey Road, and Centerpoint Road and authorize the County Judge to execute the agreement. INGALSBE/BORCHERDING

14	38-39	Discussion and possible action to purchase the City of Wimberley's used City Marshall's fully equipped 2008 Chevy Tahoe for \$16,000.00 and amend the budget accordingly. SUMTER/AYRES
15	40	Discussion and possible action to approve a salary increase for Bill Gephart in the Recycling and Solid Waste Department. SUMTER/PINNIX
16	41-54	Discussion and possible action to approve award of Bid#2010-B01 Fischer Store Road Widening and Intersection Improvements for the RPTP department to Smith Contracting Co. Inc., authorize the County Judge to sign contract and amend the budget accordingly. SUMTER/HERZOG/BORCHERDING
17	55-56	Discussion and possible action to approve additional funds for continuing education for Justice of the Peace Pct 1-1 and amend the budget according. INGALSBE/PRADO
18	57-58	Discussion and possible action to approve the purchase of an antique display cabinet from an auction not to exceed \$1000.00 and amend the budget accordingly. SUMTER/HERZOG

EXECUTIVE SESSIONS

The Commissioners Court will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The Commissioners' Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

19	59	Pursuant to Open Meetings Act, Texas Government Code 551.074, executive session to discuss personnel matters and to deliberate the evaluation of all individual department heads. SUMTER
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STANDING AGENDA ITEM

20		Discussion of issues related to proposed capital construction projects in Hays County, including but not limited to the government center; precinct offices; Resources Protection Transportation and Planning Department; and space needs projections for the Hays County Jail and related criminal justice analysis. Possible action may follow. INGALSBE
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ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 29TH day of January, 2010.

COMMISSIONERS COURT, HAYS COUNTY, TEXAS

CLERK OF THE COURT

Hays County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Hays County Judge's Office at (512) 393-2205 as soon as the meeting is posted (72 hours before the meeting) or as soon as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Hays County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.

Agenda Item Request Form

Hays County Commissioners' Court

2:00 p.m. Every Wednesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve payment of county invoices.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: 2/2/10

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: As attached.

REQUESTED BY: Auditor's Office

SPONSORED BY: Bill Herzog 

SUMMARY:

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 26, 2010

CHECK ONE: **X CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: FEBRUARY 2, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: FRITSCHÉ

SPONSORED BY: SUMTER

SUMMARY:



JANUARY 26, 2010

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STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF JANUARY A.D., 2010, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCH	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Constable David Peterson gave the invocation and Commissioner Conley led the court in the Pledge of Allegiance to the flags. Commissioner Conley spoke of memorial services and funeral for David Pena (recently deceased veteran of Hays County). Judge Sumter called the meeting to order

PRESENTATION OF RETIREMENT GIFT TO TOM TVRDIK [T1-62]

Judge Sumter gave her appreciation for the services provided by retiring Veterans Service Officer Tom Tvrdik. Tom Tvrdik gave his appreciation to the Commissioners Court and stated that he has enjoyed serving the citizens of Hays County. The Court presented him with a retirement plaque.

26790 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payments of county invoices in the amount of \$781,973.84 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

26791 APPROVE COMMISSIONER COURT MINUTES OF JANUARY 19, 2010

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioner Court Minutes of January 19, 2010 as presented by the County Clerk. All voting "Aye". MOTION PASSED

26792 APPROVE PURCHASING A FILING CABINET INSTEAD OF A DESK FOR TREASURER'S OFFICE AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve purchasing a filing cabinet instead of a desk for Treasurer's Office and amend the budget accordingly. All voting "Aye". MOTION PASSED

26793 APPROVE ADDITIONAL FUNDS FOR EQUIPMENT FOR DPS RADAR AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve additional funds for equipment for DPS Radar and amend the budget accordingly. All voting "Aye". MOTION PASSED

26794 AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE GRANT AWARD FROM THE TEXAS JUDICIAL COUNCIL TASK FORCE ON INDIGENT DEFENSE FOR \$68,346

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to accept and execute Grant Award from the Texas Judicial Council Task Force on Indigent Defense for \$68,346.00. All voting "Aye". MOTION PASSED



26795 POLO CLUB CENTER SUBDIVISION [09-4-32 - 6 LOTS] APPROVE PRELIMINARY PLAN

[T1-145] Programs Manager Clint Garza gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve preliminary plan for Polo Club Center Subdivision. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton abstained due to his association with Doucet & Associates. MOTION PASSED

Clerk's Note: Agenda Item #8 RE: RE-SUBDIVISION OF A 10.13 ACRE PORTION OF LAND, RIVER OAKS OF WIMBERLEY, UNIT 1, SECTION 2 [08-3-58 - 3 LOTS] APPROVE FINAL PLAT was PULLED.

26796 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL (GRANT) CONTRACT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) FOR FUNDING TO CONDUCT A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT IN NORTHERN HAYS COUNTY, IN THE AMOUNT OF \$27,000, AND AMEND THE BUDGET ACCORDINGLY [T1-195]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize the County Judge to execute an Interlocal (Grant) Contract with the Capital Area Council of Governments (CAPCOG) for funding to conduct a household hazardous waste collection event in Northern Hays County, in the amount of \$27,000, and amend the budget accordingly. All voting "Aye". MOTION PASSED

26797 DESIGNATE A TASK FORCE ON RECORDS MANAGEMENT FOR HAYS COUNTY IN ORDER TO STUDY SITUATION, NEEDS AND BRING RECOMMENDATIONS TO THE COURT [T1-238]

Commissioner Ford spoke of workshop held last week and she recommended a Task Force be created. Judge Sumter spoke of possible charges for the task force. A motion was made by Commissioner Ford, seconded by Commissioner Conley to designate a Task Force on Records Management for Hays County to include District Clerk Cecelia Adair, County Clerk Linda Fritsche, Tax Assessor Collector Luanne Caraway, County Treasurer Michele Tuttle, Sheriff Tommy Ratliff (or his designee), and Commissioner Karen Ford; to study situation, needs and bring recommendations to the court. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING THE COUNTY JAIL FACILITY REPAIR PROGRESS AND PRESENTATION TO THE TEXAS COMMISSION ON JAIL STANDARDS ON FEBRUARY 4, 2010

[T1-2759] Special Counsel Mark Kennedy gave a progress report on repairs being made at the jail facility.

26798 ACCEPT RECOMMENDATIONS FROM THE REAL ESTATE RFQ REVIEW TEAM AND/OR THE SELECTED RESPONDENTS [T1-443]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to accept recommendations from the Real Estate RFQ review team and/or the selected respondents. All voting "Aye". MOTION PASSED

26799 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN HAYS COUNTY AND THE DAHLSTROM FAMILY FOR THE LEASE OF APPROXIMATELY 360 ACRES THAT WILL SERVE AS A PUBLIC ACCESS OPEN-SPACE PROJECT [T1-503]

Special Counsel Mark Kennedy spoke of changes to the MOU. Commissioner Ford voiced her concerns. Discussion was had regarding ongoing negotiations. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Memorandum of Understanding between Hays County and the Dahlstrom Family for the Lease of approximately 360 acres (known as the Howe Pasture) that will serve as a Public Access Open-Space Project. All voting "Aye". MOTION PASSED



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26800 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR DESIGN/BUILD SERVICES RELATED TO EXPANSION OF THE RPTP FACILITY ON YARRINGTON ROAD [T-2627]

Cody Newsom from Broaddus & Associates spoke of preconstruction services (\$82,500). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize the County Judge to execute a Contract for Design/Build Services related to expansion of the RPTP Facility on Yarrington Road with a notice to proceed with preconstruction services in an amount of \$82,500. All voting "Aye". MOTION PASSED

26801 CHANGE THE PERSONNEL POSITION IN THE HAYS COUNTY SHERIFF'S DEPARTMENT THAT IS FUNDED BY THE ALERRT PROGRAM AND ACCEPT THE SUB AWARDS FROM TEXAS STATE UNIVERSITY AND AMEND THE BUDGET ACCORDINGLY [T1-333]

Deputy Sheriff Mike Davenport spoke of change in the position. Don Montague spoke of ALERRT Program budget – there is no cost to the County. Shari Miller spoke of ALERRT calling this position "Director of Training" – Sgt. Grade is the right salary grade. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to change the personnel position in the Hays County Sheriff's Department that is funded by the ALERRT Program to "Director of Training" at a Sgt. Salary grade and accept the Sub Awards from Texas State University and amend the budget accordingly. All voting "Aye". MOTION PASSED

26802 APPROVE A CHANGE ORDER TO THE CONTRACT FOR THE ROOF REPLACEMENT OR GO OUT FOR BID FOR ADDITIONS AT THE LAW ENFORCEMENT CENTER [T1-931]

Phil Buterbaugh (Broaddus & Associates) spoke of items on the change order. Jimmy Skipton made public comment. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve a Change Order to the Contract for the roof replacement or go out for bid for additions at the Law Enforcement Center in an amount not to exceed \$68,120. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING DEPARTMENTAL REORGANIZATION FOR THE DEVELOPMENT SERVICES DIVISION OF THE RESOURCE PROTECTION, TRANSPORTATION, AND PLANNING (RPTP) DEPARTMENT AND THE PROPOSED RELATED JOB DESCRIPTION [T1-3399]

RPTP Director Jerry Borcharding explained the reorganization. Lisa Wright spoke of developmental services and road department services and she explained the various positions involved in the reorganization. Judge Sumter spoke of management structure proposed. Commissioner Conley requested additional time to receive more information regarding the various positions. Commissioner Ford spoke of having Human Resources look at the job positions closely. Court requested more time to look at the job description.

26803 PASS A RESOLUTION BY COMMISSIONERS COURT OF HAYS COUNTY, TEXAS APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE ONE OR MORE SERIES OF CERTIFICATES OF OBLIGATIONS; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH [T1-2515]

Jeff Kuhn (Fulbright & Jaworski) spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to pass a Resolution by Commissioners Court of Hays County, Texas approving and authorizing publication of Notice of Intention to issue one or more series of Certificates of Obligations; complying with the requirements contained in Securities and Exchange Commission Rule 15C2-12; and resolving other matters in connection therewith – post issuance at \$72 million with the understanding that as we get information it will be subject to change. All voting "Aye". MOTION PASSED

DISCUSSION ABOUT FUTURE DEBT, ITS IMPACTS AND POSSIBLE STRATEGIES TO DEAL WITH ITS BUDGET IMPACTS [T1-1136]

Judge Sumter advised that CO's for Dacy Lane have already been sold and is already budgeted and our pass-through roads will be budgeted in 2013. Bond Counsel Dan Wegmiller presented a spread sheet showing a summary of preliminary capital improvement program scenarios. He spoke of various scenarios regarding the government center. Bob Hinkle (Broaddus & Associates) spoke of government building figures. Dan Wegmiller spoke of process for pricing an issue and ability to adjust the amount at the last minute. Commissioner Ingalsbe spoke of the Court building into the budget five years ago an amount that would insure that we would be able to make the payment of a \$72 million issuance. Discussion was had regarding the current economy, interest rates, property values, tax rate, etc. [T1-2266] Ed Pope voiced his concern about the budget. Jimmy Skipton spoke in support of the government center and he appreciated the discussions today.



PRESENTATION REGARDING COLLECTIVE BARGAINING BY LOWELL DENTON FROM DENTON, NAVARRO, ROCHA, AND BURNELL, PC, ATTORNEYS AT LAW. POSSIBLE ACTION MAY FOLLOW [T2-444]

Attorneys Lowell Denton and Elizabeth Provencio gave a presentation regarding collective bargaining which covered the nature of the process, purpose, bargaining approaches, developing a bargaining culture, examples of issues and articles, preparing for the process, preparation, past experience, and game plan.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING THK, L.L.C VS. HAYS COUNTY AND PENDING LITIGATION RELATED THERETO

[T2-1272]

Court convened into closed executive session at 3:55 p.m. and reconvened into open meeting at 4:30 p.m. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING COLLECTIVE BARGAINING [T2-1280]

Court convened into closed executive session at 2:40 p.m. and reconvened into open meeting at 3:45 p.m. No action taken.

DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; PRECINCT OFFICES; RESOURCES PROTECTION TRANSPORTATION AND PLANNING DEPARTMENT; AND SPACE NEEDS PROJECTIONS FOR THE HAYS COUNTY JAIL AND RELATED CRIMINAL JUSTICE ANALYSIS. POSSIBLE ACTION MAY FOLLOW [T1-2917]

Bob Hinkle, Broadus & Associates, provided a calendar for the Government Center project and spoke of the courtroom mockup that will be held on Thursday January 29th. Discussion was had regarding contractors and subcontractors meetings. Bob Hinkle spoke of Square Footage Audit and Operational Task Outline Draft.

Court was adjourned.

I, LINDA C. FRITSCH, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on JANUARY 26, 2010.



LINDA C. FRITSCH, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

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no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: This is a renewal agreement between Hays CISD and the Hays County Personal Health Department to provide for the use of the District's facilities in case of a public health emergency.

CHECK ONE: ☒ **CONSENT ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: 02/02/2010

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Priscilla Hargraves

SPONSORED BY: Judge Sumter

SUMMARY:

This renewal agreement allows the district and the PHD to collaborate in the event of a Public Health emergency and utilize school district facilities for the purpose of mass prophylaxis and or mass vaccination. This is a (5) year agreement starting 02/01/2010.

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Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approval of an agreement between The University of Texas Health Science Center Nursing School and the Hays County Personal Health Department.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: 02/02/10

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Priscilla Hargraves

SPONSORED BY: Sumter

SUMMARY:

This is an agreement that would allow a graduate nursing student to precept under the Women's Health provider, Cora Furr FNP. This training will begin on 02/03/10 till 05/07/2010.

PROGRAM AGREEMENT

This Program Agreement ("Agreement"), made this 14th day of January, 2010 ("Effective Date"), by and between The University of Texas Health Science Center at Houston, on behalf of its School of Nursing ("School"), for its students enrolled in the undergraduate and graduate program in nursing, and Hays County, Texas, on behalf of its Personal Health Department located at 401-A Broadway San Marcos, TX 78666. ("Facility"), consistent with and under the general provisions of an existing Educational Experience Program Affiliation Agreement ("Affiliation Agreement") between the parties hereto.

WHEREAS, the purpose of the undergraduate and graduate program in nursing is to educate nurses in areas of clinical specialization, including teaching and nursing administration, to contribute to the health and illness needs of people, and to offer specialized nursing care, and

WHEREAS, it is agreed by the parties hereto to be of mutual interest and advantage that students and faculty of the School be given the opportunity to utilize the Facility for educational purposes.

NOW, THEREFORE, the parties to this Agreement agree as follows:

The students receiving clinical experience at Facility will be individuals enrolled in the undergraduate and graduate program in nursing.

The students will be in the Facility during the regular academic period defined in the catalog for each year and will be under the supervision of a nurse faculty member of the School.

The Facility shall at all times be in charge of patient care. Nursing students and faculty of the School engaging in patient care shall be subject to appropriate supervisory personnel employed by the Facility, for direct patient care administered by said students and/or faculty.

The names of students and period of assignment will be furnished to the Facility by the School. In addition, a statement will be provided by the School giving assurance that the students are covered by professional liability insurance. Assurance will also be provided that the students have health clearance to participate in the care of patients.

The number and distribution of students between the divisions of the Facility will be mutually agreed upon between the School and the Facility each academic quarter.

The Facility further agrees to plan jointly with all nursing programs involved when the Facility's resources are utilized as a clinical laboratory by nursing groups other than the School.

Faculty and students will be subject to the Facility's rules and regulations in the performance of this Agreement. Upon the School's request, Facility shall furnish or otherwise make available a copy of its rules and regulations for review by School.

Students will be responsible for their own transportation, meals, laundry and health care needs in the performance of this Agreement. There will be no exchange of monies between the Facility and the School.

The Facility agrees to provide the School with locker space, conference, classroom, and lounge areas for its students, as available. The Facility shall allow the School's students and faculty to use its eating facilities at the student's and faculty's expense.

The School agrees that members of the faculty may serve as consultants and on committees of the Facility when requested by the Facility.

The term of this Agreement shall begin on the Effective Date and shall continue unless terminated by either party upon giving three months advance written notice to the other party. Additionally, this Agreement shall terminate upon the termination of the Affiliation Agreement between the parties hereto.

IN WITNESS WHEREOF, The University of Texas Health Science Center at Houston and Hays County, Texas, on behalf of its Personal Health Department have caused this Agreement to be executed on the Effective Date by their respective officers duly authorized and empowered.

**Hays County, Texas, on behalf of
its Personal Health Department**

By: _____

Title: _____

Date: _____

**The University of Texas Health Science
Center at Houston**

By: _____

Peter Davies, MD, PhD
Interim EVP for Academic Affairs

Date: _____

By: _____
Kathleen Reeve, DRPH, RN, ANP-BC
Coordinator of Master's Program
School of Nursing

**EDUCATIONAL EXPERIENCE PROGRAM
AFFILIATION AGREEMENT**

This Educational Experience Program Affiliation Agreement ("Agreement") effective the 14th day of January, 2010 is between The University of Texas Health Science Center at Houston ("University"), a component institution of The University of Texas System, ("System"), and Hays County, Texas, on behalf of its Personal Health Department ("Facility"), with a location at 401-A Broadway San Marcos, TX 78666.

WHEREAS, Facility operates facilities located at 401-A Broadway, in the city of San Marcos, State of Texas, and therein provides healthcare services;

WHEREAS, University provides academic courses with respect to healthcare and periodically desires to provide its students with educational experience by utilizing appropriate facilities and personnel of third parties ("Program");

WHEREAS, Facility desires to cooperate with University to establish and implement from time to time one or more Programs involving the students and personnel of University and the facilities and personnel of Facility;

NOW, THEREFORE, in consideration of the mutual promises herein, University and Facility agree that any Program established and implemented by Facility and University during the term of this Agreement shall be covered by and subject to the following terms and conditions:

1. **Program Agreement:** To become effective, all agreements between the parties with respect to a Program ("Program Agreement") shall be reduced to writing, executed by authorized representatives of Facility and University.
2. **Conflict:** In the event of conflict between the text of Program Agreement and the text of this Agreement, this Agreement shall govern.
3. **Amendment of Program Agreement:** No amendment to a Program Agreement shall be effective unless reduced to writing, executed by the authorized representatives of Facility and University.
4. **Responsibility of Facility:** Except for certain acts to be performed by University pursuant to the provisions of this Agreement, Facility will furnish the premises, personnel, services, and all other items necessary for the educational experience specified in the Program Agreement. In connection with such Program, Facility will:
 - (a) comply with all applicable federal, state, and municipal laws, ordinances, rules and regulations; comply with all applicable requirements of any accreditation authority, and certify such compliance upon request by University;
 - (b) permit the authority responsible for accreditation of University's curriculum to inspect the facilities, services and other items provided by Facility for purposes of the educational experience; and,

(c) appoint a person to serve for Facility as liaison ("Facility Liaison") by the following procedure:

1. Facility shall submit to University the name and professional and academic credentials of the person proposed as Facility Liaison in writing at least thirty (30) days prior to the date the appointment is to become effective;
2. University shall notify Facility of University's approval or disapproval of such person within ten (10) days after receipt of such notice;
3. no person shall act as Facility Liaison without the prior written approval University;
4. in the event the Facility Liaison approved by University later becomes unacceptable and University so notifies Facility in writing, Facility will appoint another person in accordance with the procedure outlined in paragraph 4 (c).

5. Responsibilities of University: University will:

- (a) furnish Facility with the names of the students assigned by University to participate in the Program;
- (b) assign only those students who have satisfactorily completed those portions of University curriculum that are prerequisites to Program participation; and
- (c) designate a member of the University faculty ("University Representative") to coordinate the educational experience of students participating in the Program with the Facility Liaison. University shall give Facility written notice of the name of the University Representative.

6. Notices: All notices under this Agreement or a Program Agreement shall be in writing and delivered either by personal delivery or by United States certified mail return receipt requested. Such notices shall be deemed given when received by such party's designated representative.

7. Oral Representatives: No oral representations of any officer, agent, or employee of Facility, University, or System shall affect or modify any obligations of either party under this Agreement or any Program Agreement.

8. Amendment to Agreement: No amendment to this Agreement shall be valid unless reduced to writing, signed by an authorized representative of each party.

9. Assignment: Neither this Agreement nor a Program Agreement may be assigned by either party without prior written approval of the other party.

10. Performance: A delay in or failure of performance of either party that is caused by occurrences beyond the control of either party shall not constitute default hereunder, or give rise to any claim for damages.

11. Term and Effective Date: This Agreement shall become effective on the date first set forth above and shall continue in effect for an initial period ending one (1) year after the date and year stated in the first paragraph ("Term"). After such initial Term, this Agreement shall continue

from year to year unless one party shall give the other one hundred eighty (180) days prior written notice of intention to terminate. If such notice is given, this Agreement shall terminate: (a) at the end of such one hundred eighty (180) days; or, (b) when all students enrolled in the Program at the time such notice is given have completed their respective courses of study under the Program; whichever event last occurs.

12. Applicable Law: The validity, interpretation, performance, and enforcement of this Agreement and any Program Agreement shall be governed by the laws of the State of Texas.

13. FERPA: For purposes of this Agreement, pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), the University hereby designates the Facility as a school official with a legitimate educational interest in the educational records of the Students who participate in the Program to the extent that access to the records are required by the Facility to carry out the Program. Facility agrees to maintain the confidentiality of the educational records in accordance with the provisions of FERPA.

14. HIPAA: To the extent applicable to this Agreement, each party agrees to comply with the Health Insurance Portability and Accountability Act of 1996, as codified at 42 U.S.C. Section 1320d ("HIPAA") and any current and future regulations promulgated hereunder, including without limitation, the federal privacy regulations contained in 45 C.F.R. Parts 160 and 164 ("Federal Privacy Regulations"), the federal security standard contained in 45 C.F.R. Parts 160, 162, and 164 ("Federal Security Regulations"), and the federal standards for electronic transactions contained in 45 C.F.R. Parts 160 and 162 ("Federal Electronic Transaction Regulations") all as may be amended from time to time, and all collectively referred to herein as "HIPAA Requirements". University agrees not to use or further disclose any Protected Health Information (as defined in the Federal Privacy Regulations) or Individually Identifiable Health Information (as defined in the Federal Security Regulations), other than as permitted by the HIPAA Requirements and the terms of this Agreement. University agrees to make its internal practices, books, and records relating to the use and disclosure of Protected Health Information available to the Secretary of Health and Human Services to the extent required for determining compliance with the HIPAA Requirements.

**Hays County, Texas, on behalf of its Personal
Health Department**

By _____

Title _____

Date _____

**The University of Texas
Health Science Center at Houston**

By _____

Peter Davies, MD, PhD
Interim Executive Vice President for
Academic Affairs

Date _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

**08-3-58 Resubdivision of a 10.13 acre portion of land, River Oaks of Wimberley, Unit 1, Section 2.
Call for public hearing on February 23, 2010.**

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: February 3, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Conley

SUMMARY:

The final plat/public hearing item was pulled on January 26, 2010 due to a mistake in actual posted hearing date. This action will allow for proper notification to go out to the neighboring property owners. The summary below is from the original final plat agenda request.

The River Oaks of Wimberley Subdivision is a recorded division located off of Wayside Drive in precinct 3. At the time of original platting, 1972, there were a few lots left unnumbered. This proposed resubdivision is a 10.13 acre parcel located adjacent to lot 25, unit 2, section 2. If approved, the proposed action will divide the parcel into 3 new lots of 2.0, 4.0, and 4.124 acres in size. The original application for platting has been on file for over one year. During this time, the property owner had a flood study performed on the 100 year floodplain on the property as required in our flood ordinance at that time.

The engineer performing the study has submitted a letter of map revision to FEMA to reflect the true conditions found in the recent elevation study. The current limit of the 100 year flood plain is shaded in gray and the proposed "new" floodplain is delineated by a dashed line inside of the shaded area.

The subdivision will be served by individual wells and OSSF's. There are no variances and the division is located outside the limits of any ETJ.

VOLUME 1 PAGES 181-183, HAYS COUNTY FLAT RECORDS

Under Florida County Clerk, Miss Corinne Zimm

● 1997年12月1日

SECRET

CONFIDENTIAL

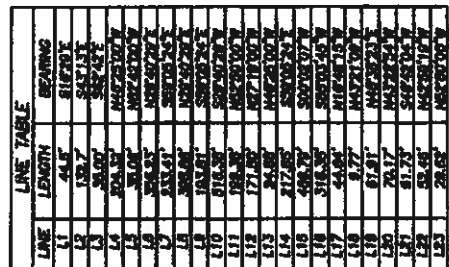
LOT SIZE CATEGORIES	
0 LOTS	10 ACRES OR LARGER
0 LOTS	LARGER THAN 5.0 ACRES AND SMALLER THAN 10 ACRES
3 LOTS	2.00 ACRES OR LARGER UP TO 5.00 ACRES
0 LOTS	LARGER THAN 1.00 ACRE AND SMALLER THAN 2.0 ACRES AND SMALLER THAN 1.00 ACRE

[illegible]

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VOLUME 1 PAGES 191-193, HAYS COUNTY FLAT RECORDS



REPERCUSSION CONFESSION

COMBINED METAL PIPE

MADE IN CHINA
MADE IN CHINA
MADE IN CHINA

3	COMBUSTION METAL PPG
4	COIL HEATING
5	COIL RING
6	IRON ROD FOUN
7	IRON PIG FOUN
8	LINED REFRIGER TANK
9	METAL PIPE
0	POWER PILE
1	REINFORCED CONCRETE PILE
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Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

10-4-1 Polo Club Center Subdivision, Lot 1. Discussion and possible action to consider approval of Final Plat.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: 2/2/10

AMOUNT REQUIRED: N/A

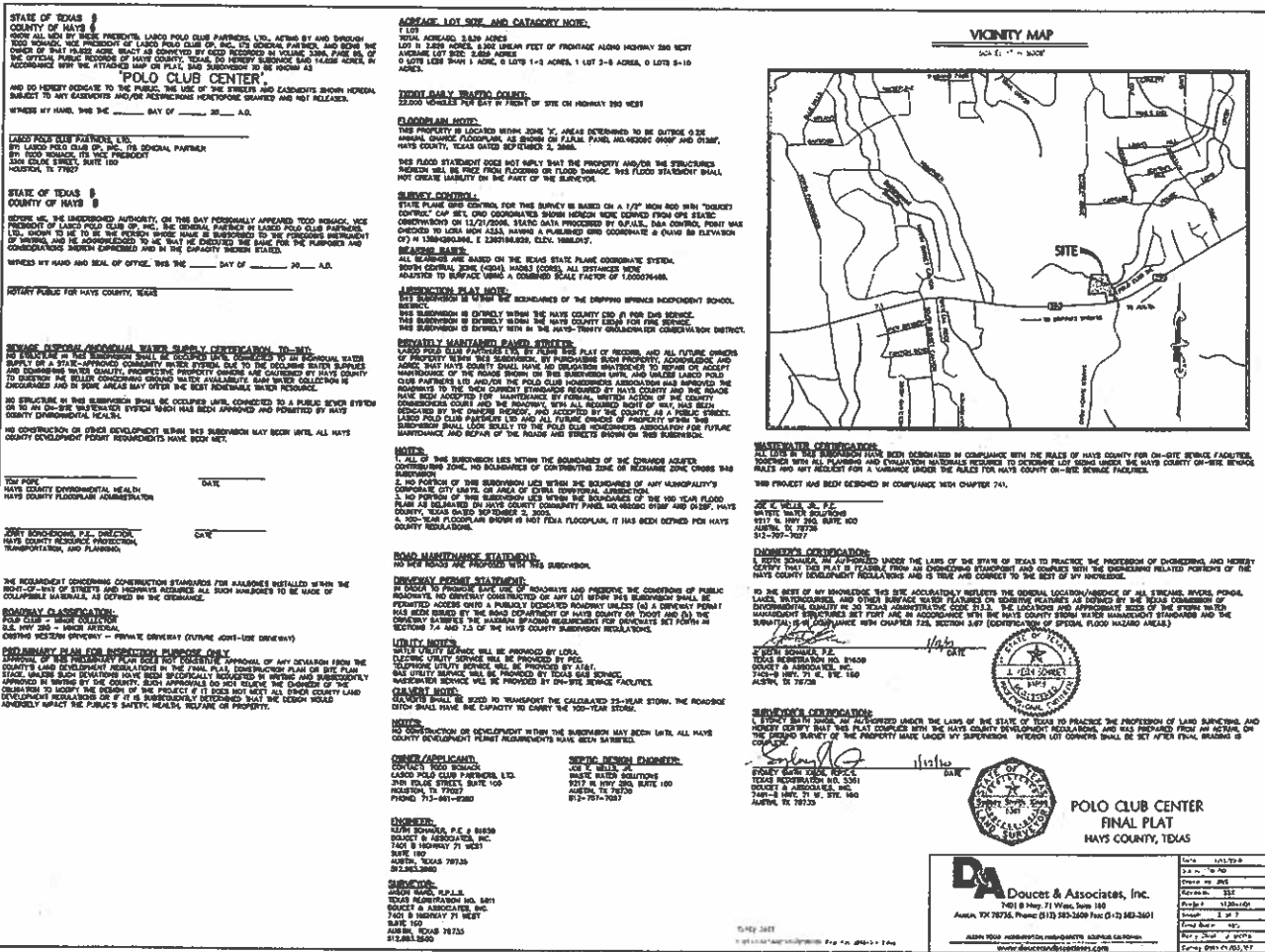
LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Ford

SUMMARY:

The Polo Club Center Subdivision is a proposed division of 19.823 acres located at the entrance of Polo Club Drive/Sawyer Ranch Road on Highway 290 in Precinct 4. The proposed division consists of 6 lots with an average lot size of 3.304 acres. This action is for the final plat of Lot 1(2.829 Ac.). The developer plans to sell the lots for commercial use and Lot 1 is planned to be the site for a CVS pharmacy. The entire division will utilize LCRA for water and individual on-site sewage facilities for wastewater.



Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Clerk's office

no later than 12:00 noon on WEDNESDAY.

Phone (512) 393-7330 Fax (512) 393-7337

AGENDA ITEM: Discussion and possible action to accept the annual racial profile report from Constable Precinct 3

Consent, Action, Executive Session, Etc. –

MEETING DATE REQUESTED: 1/26/10

REQUESTED BY: Will Conley

FUNDS REQUIRED:

SUMMARY:

Each year the Constables office presents a racial profile report. Please review the attached back up for details of the report.

AGENDA ITEM – APPROVED BY:

COUNTY JUDGE

COUNTY AUDITOR

COMMISSIONER PCT. 1

COMMISSIONER PCT. 2

COMMISSIONER PCT. 3

COMMISSIONER PCT. 4

ACTION TAKEN / ACTION REQUIRED:



DARRELL W. AYRES

CONSTABLE

HAYS COUNTY PRECINCT 3



January 25, 2010

Since January 1, 2003, the Hays County Constables Office of Precinct 3 in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting contact data for the purpose of indentifying and responding (if necessary) to concerns regarding racial profiling practices. It is my hope that the findings in this report will serve as evidence that the Precinct 3 Constables office continues to strive towards the goal of maintaining strong relations with the community.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. These sections contain information relevant to the institutional policies adopted by the Precinct 3 Constables Office banishing the practice of racial profiling among its officers.

The Final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/09 and 12/31/09. It is my sincere hope that the channels of communication between the community leaders and the Precinct 3 Constables Office continue to strengthen as we move forward to meet the challenges of the near future.

Sincerely,

Darrell W. Ayres
Hays County Constable Pct. 3



DARRELL W. AYRES
CONSTABLE
HAYS COUNTY PRECINCT 3



Annual report to the HAYS COUNTY COMMISSIONERS COURT and TCLEOSE for the Calendar year 2009, in compliance with S.B. 1074-76th regular session of the Texas Legislature amended by H.B. 3389 81st regular session.
(Racial Profiling Report)

Race/Ethnicity*	Contacts	Searches	Consensual Searches	Probable Cause Searches	Custodial Arrest*
-----------------	----------	----------	---------------------	-------------------------	-------------------

Number of each					
----------------	--	--	--	--	--

Caucasian	110	13	6	7	3
-----------	-----	----	---	---	---

African	4	1		1	
---------	---	---	--	---	--

Hispanic	20	2	1	2	
----------	----	---	---	---	--

Asian					
-------	--	--	--	--	--

Native American					
-----------------	--	--	--	--	--

Middle Eastern					
----------------	--	--	--	--	--

Other					
-------	--	--	--	--	--

Total	134	17	7	10	3
-------	-----	----	---	----	---

**Race/Ethnicity are defined by Senate bill 1074 as being of a "particular descent, including: Caucasian, African, Hispanic, Asian, Middle Eastern Descent or Native American."*

**Custodial Arrests are arrests made only at a traffic or pedestrian stop. They do not include arrests made by warrants or court orders or criminal investigations.*

Number of Males 89 Females 45

Racial/Ethnicity Known before the Stop NA
This is a new requirement as of January 2010

The above information pertains to traffic and pedestrian stops only.

Submitted on _____, 2010 By: _____
Constable

Summary Statement

The finding suggest that the Pct. 3 Constables Office does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has not received complaints from the community members regarding officers misconduct associated with racial profiling practices.

The continuing effort to collect contact data will assure an on-going evaluation of this Departments practices. Thus, allowing for the citizens of the community to benefit from professional and courteous service from their Constables Office.

Community Partnerships

Although the Precinct 3 Constables Office has always enjoyed the support from the community, since January 1, 2003, it has made extraordinary efforts to reach out to community leaders. This effort has been well received in the Wimberley Valley, surrounding communities and all of Precinct 3.

The Pct. 3 Constables Office, through its public information officer, has kept the public informed of the traffic contact data collection effort. Further, it plans to present the data analyzed, on or before March 1 of each year, to members of the Commissioners Court and TCLEOSE. This will be done in an effort to keep community leaders informed on the current practices of this office and to be in compliance with current state statutes.

Training

In compliance with the Texas Racial Profiling Law, the Pct. 3 Constables Office has asked that all its officers adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers from this Department have been asked to complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupation Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate or who held a peace officer license issued by TCLEOSE for at least two years will complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

This fulfills the training requirement as specified in the Education Code(96.641) of the Texas Racial Profiling Law.

Recommendations

Based on the findings introduced in this report, the Constable has agreed to adopt the following measures aimed at addressing potential racial profiling problems.

- Provide further racial sensitivity training to its Constable personnel
- Disseminate information to all Deputies regarding the guidelines of behavior acceptable under the adopted Texas Racial Profiling Law
- Seek outside resources to an Early Warning System
- Keep Commissioners Court and other officials informed of measures being implemented at the Precinct 3 Constable's Office.
- Require all Deputies to take training for Legislative Updates

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m. on WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to appoint a small city representative to the Capital Area Metropolitan Planning Organization.

CHECK ONE: ☐ **CONSENT** ☒ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: SUMTER

SUMMARY:

Bob Flocke, Councilmember, City of Woodcreek is currently the alternate to CAMPO would like to be the appointee and Ron Fletcher, Councilmember, City of Buda would like to be the alternate. Please see back-up. I have heard from Mayor Gonzales and he is supportive of Bob Flocke being the small city representative to CAMPO.

Liz Sumter

From: Tom Haley [thaley104@hotmail.com]
Sent: Thursday, January 14, 2010 12:32 PM
To: Liz Sumter
Subject: RE: CAMPO and Continuity of Operations Plan

Bob Flocke would like to move from alternate to the full position. I would like to recommend that he be appointed
Tom

From: lizsumter@co.hays.tx.us
To: blane@ci.buda.tx.us; mayormikegonzalez@gmail.com; mfischer@cityofdrippingsprings.com; thaley104@hotmail.com; mayor@cityofwoodcreek.com; mayor@vil.bear-creek.tx.us; owner@reynellsmith.com; wford@austin.rr.com; city@uhlandtx.us; heideman@clws.com; jeff@buildingdoctor.biz; citymanager@mountaincitytx.com; dferguson@anvilcom.com; administrator@cityofwoodcreek.com; tmattis@cityofkyle.com; kwilliams@ci.buda.tx.us
CC: will.conley@co.hays.tx.us; jennifer.anderson@co.hays.tx.us; debbiei@co.hays.tx.us; sylvia.boasi@co.hays.tx.us; karen.ford@co.hays.tx.us; michele.walters@co.hays.tx.us; jeff.barton@co.hays.tx.us; kara.bishop@co.hays.tx.us
Date: Thu, 14 Jan 2010 10:58:56 -0600
Subject: CAMPO and Continuity of Operations Plan

Mayors and City Managers, I have two requests. We need to appoint a small city representative to CAMPO. Currently Mayor Gonzalez holds the position and Councilmember Bob Flocke is the alternate. I would like to put this on the Commissioners Court agenda the first week in February. Meetings are once a month and committees can be joined if you so choose. It is an important planning organization for our region. Please forward me your recommendations either as a group or individually.

Second request – We are in the process of completing the County's Continuity Plan. I am asking that, in case of a disaster, that we have a memorandum of understanding with each City to hold Commissioner Court meetings on Tuesdays at 9am in your City Chambers. I, of course, do not anticipate that the courthouse would ever be inaccessible, nevertheless, we need to make sure County Government continues to serve its citizens no matter what. If you have objection to this please let me know. I will draft an MOU and get it to you ASAP.

Lastly, I hope that the New Year has started off well for you and that you have already broken your New Year Resolution so you can move on without restraint. (I gave up on mine at 3pm on January 1st – chocolate gets me everytime). Thanks, Liz

Hotmail: Trusted email with powerful SPAM protection. [Sign up now.](#)

Liz Sumter

From: blane2@austin.rr.com
Sent: Monday, January 25, 2010 7:00 PM
To: Liz Sumter
Subject: Fw: CAMPO and Continuity of Operations Plan
Attachments: winmail.dat

Liz, I just wanted to you know that our councilmember Ron Fletcher is very interested in serving as an alternate for CAMPO. We will be forwarding his letter of interest to you. We will also take up this item at our council meeting next week. Ron has been attending CAMPO meetings and other transportation related meetings. I highly recommend Ron for consideration.

Sincerely,
Bobby Lane

512-848-1040

Sent via BlackBerry by AT&T

-----Original Message-----

From: "Kenneth" <KWilliams@ci.buda.tx.us>
Date: Sun, 24 Jan 2010 20:02:17
To: Mayor Lane<BLane@ci.buda.tx.us>
Subject: FW: CAMPO and Continuity of Operations Plan

Mayor:

Here is the original email sent by Judge Sumter. I believe that we should put this on the agenda for formal action by the city council for our first meeting in February. What do you think? However, you probably need to notify Liz of our intentions because of the short timeline.

Thanks,

Kenneth Williams

Buda City Manager

From: Liz Sumter [mailto:lizsumter@co.hays.tx.us]
Sent: Thursday, January 14, 2010 10:59 AM
To: Mayor Lane; mayormikegonzalez@gmail.com; mfischer@cityofdrippingsprings.com; thaley104@hotmail.com; mayor@cityofwoodcreek.com; mayor@vil.bear-creek.tx.us; owner@reynellsmith.com; wford@austin.rr.com; city@uhlandtx.us; heideman@clws.com; jeff@buildingdoctor.biz; citymanager@mountaincitytx.com; dferguson@anvilcom.com; administrator@cityofwoodcreek.com; tmattis@cityofkyle.com; Kenneth

Agenda Item Request Form

Hays County Commissioners' Court

9:00 p.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA: Discussion and possible action to appoint commissioner(s) to the board of the Caldwell/Hays County Emergency Services District Number 1.

TYPE OF ITEM: CONSENT-xxx**ACTION**-PROCLAMATION-EXECUTIVE SESSION-WORKSHOP

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a

REQUESTED BY: Barton

SPONSORED BY: Commissioner Pct. 2, Jeff Barton

SUMMARY: This is the overlapping district between Caldwell and Hays County, which provides EMS for citizens in the area.

To appoint Richard Beaman for a two year term, to replace Brenda Brown, who resigned some time ago and has not been attending. See attached resume for Richard Beaman.

There is also a vacancy for Pat Stack, who resigned several months ago. The search for this position is ongoing and will be filled as soon as an appropriate candidate is found (candidate must be from Hays County).

OBJECTIVE

As a "traditional" firefighter I have made it my goal, my mission, to ensure that everyone serving in the fire service understands that our Mission, Vision and Values aren't just words, they are a way of life and that learning, living and teaching Honesty, Integrity and Loyalty is the only true path to a long and fulfilling fire service career.

It is my desire to fulfill the term on the Caldwell Hays ESD #1 that my father William A. Meneley was elected to occupy prior to his untimely death in August of 2009.

As a seventeen year veteran of the fire service I believe I can bring a unique prospective, and vast knowledge base, to Caldwell Hays ESD #1.

EDUCATION

- Del Valle High School – Diploma
- Mansfield Business School – Associates Degree (Data Management)
- Rochville University – Enrolled
(Bachelors Degree in Fire Administration in 2011)
- San Marcos Hays County Training Center – NR EMT-B
- Fire Training Specialists – TCFP Certified Firefighter

EXPERIENCE (SUMMARIZED)

In September 2004 I accepted the position of Fire Department Administrator at Kyle Fire Department. In 2005 I was promoted to the position of Assistant Fire Chief and in early 2007 was again promoted to, my current position of, Deputy Fire Chief.

In my current position I manage 62 volunteer firefighter/first responders, 16 fulltime career firefighters, 10 part time firefighters, 8 auxiliary personnel, and 10 cadet firefighters.

I manage Kyle Fire Departments ALS FRO, the only Advanced Life Support Fire Department in Hays County. I am responsible for maintaining Kyle Fire Departments DEA license and all TDSHS compliance.

I manage KFD's Human Resources team and oversee all functions of

the department's administration.

I write and manage all of the department's grants and grant programs from submission to acceptance through close out.

SKILLS / CERTIFICATIONS (SUMMARIZED)

- SFFMA - Advanced Firefighter
- TCFP/Pro Board - Fire Service Instructor
- TCFP - HazMat Operations
- TCFP – D/O
- TCFP/Pro Board – Fire Officer
- NFA - Fire Cause and Determination
- NFA – Fire Safety Officer
- NFA – Disaster Management / Command and Control
- NFA - Decision Making and Problem Solving for Fire Officers
- NFA - Principles of Emergency Management
- NFA – Fire Ground Strategies and Tactics
- NFA – Rescue Technician
- NIMS – IS100, 200, 300, 700, 800
- NIMS - Leadership & Influence
- NIMS - Developing and Managing Volunteers
- NIMS - Contingency Planning for Public Safety Agencies
- NIMS - FEMA EEO Supervisor Course
- NIMS - State Disaster Management
- EMI - Incident Command System for Schools
- EMI - Multi-Hazard Emergency Planning for Schools
- EMI - Community Hurricane Preparedness
- EMI - National Infrastructure Protection Plan (NIPP)
- NAUI – Rescue Diver

Subdivision/Road/Staff Review Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to pay \$1600 to Kathleen Mooney for a waterline easement at the Green Acres Bridge project site.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
-------------------------------	--------------------	-------------	-----------------------------

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a
--

REQUESTED BY: Jerry Borcharding
--

SPONSORED BY: Commissioner Conley
--

SUMMARY: This easement is required as part of the Green Acres Bridge replacement project.
--

STAFF REVIEW/COMMENTS

ENVIRONMENTAL HEALTH DIRECTOR:

ROAD DIRECTOR:

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to pay \$1600 to Kathleen Mooney for a waterline easement at the Green Acres Bridge project site.

PREFERRED MEETING DATE REQUESTED: February 2, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT AND FUND LINE ITEM NUMBER: \$1600 020-710-00.5386

COUNTY PURCHASING GUIDELINES FOLLOWED: _____ N/A _____

PAYMENT TERMS ACCEPTABLE: _____ Yes _____

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to affirm a charge from the Commissioners Court to the Task Force on Records Management for Hays County.

CHECK ONE: ☐ **CONSENT** ☒ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 2, 2010; 10 a.m.

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: Ford

SUMMARY:

The Task Force feels it is important to have a clear charge from the court, so this is an extension of our agenda item from last week.

Please consider the following as the launching point for setting a charge for the Task Force:

- Review all county office's preservation requirements
- Review each department's compliance with the State Library rules and obtain copies of preservation plans
- Consult as needed with experts in the field regarding proper procedures for preserving county records
- Study costs associated with records preservation and funding sources
- Make recommendations regarding the need for a records management officer and/or department
- Make recommendations regarding the scope of a county records department
- Make recommendations regarding Long-Term records management plan for the County, including viable formats
- Look at # of duplicative hard-copy convenience documents throughout County and address reduction strategies and/or electronic access points

We will encourage members of the Task Force to attend court on 2/2 and so I have requested the item at 10 am.

The Task Force shall submit copies of its final report and recommendations as soon as possible, but no later than May 31, 2010. This date has been chosen so that the work of the Task Force can be considered when the Commissioner's Court begins budget workshops. Copies of the final report should be sent to the County Judge and all Commissioners.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action addressing the situational needs of the Interim Veterans Service Officer including transportation, equipment and personnel.

CHECK ONE: ☐ **CONSENT** ☒ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Mendoza

SPONSORED BY: Ford

SUMMARY:

This item will provide an opportunity for the interim Veterans Service Officer to receive direction from the Court on:

- transportation situation – the veterans' van was involved in an accident and will likely be totaled by the insurance company; we will get a report on plans for an interim van. There is a grant in place to replace the van and funds are expected to be available in March or April.
- equipment – Mr. Mendoza needs a cell phone and may have other equipment requests unknown at this time.
- a driver – Until we have recommendations from the Veterans Task Force, we need to plan on continuing our transportation program for Hays County vets to medical appointments at San Antonio Vet Clinic. It is anticipated that HR will post a job for a contract driver.

Mr. Mendoza may offer other immediate recommendations for the Court's consideration.

Subdivision/Road/Staff Review Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to allow Commissioner Ingalsbe to negotiate an informal agreement with the City of San Marcos regarding the emergency repair of railroad crossings on McCarty Lane, Posey Road, and Centerpoint Road.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
-------------------------------	--------------------	-------------	-----------------------------

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: \$10,000

LINE ITEM NUMBER OF FUNDS REQUIRED: 5351

REQUESTED BY: Jerry Borcharding

SPONSORED BY: Commissioner Ingalsbe

SUMMARY: Apporval by Court will provide for a quick solution (safer travelway) at the railroad crossings mentioned. Repairs by the UPRR have resulted in "speedbump" type crossings. It is intended that an agreement can be reached whereby the City's street repair crews and equipment can be used to make the repairs with Hays County providing the materials. Commissioner Ingalsbe should be given flexibility to add or delete some elements of County participation. This situation begs for quick action outside of the normal process where advertising for bid and approval of a contract would be required.

Agenda Item Routing Form

DESCRIPTION OF Item: Allow Commissioner Ingalsbe to negotiate an informal agreement with the City of San Marcos regarding the emergency repair of railroad crossings on McCarty Lane, Posey Road, and Centerpoint Road.

PREFERRED MEETING DATE REQUESTED: February 2, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT AND FUND LINE ITEM NUMBER: \$10,000 020-710-00.5351

COUNTY PURCHASING GUIDELINES FOLLOWED: _____ Yes _____

PAYMENT TERMS ACCEPTABLE: _____ N/A _____

COMMENTS: This is the proper account if the cost is for materials.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205

AGENDA ITEM: Discussion and possible action to purchase the City of Wimberley's used City Marshall's fully equipped 2008 Chevy Tahoe for \$16,000.00.

CHECK ONE: **CONSENT** **X ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: \$16,000.00

LINE ITEM NUMBER OF FUNDS REQUIRED: Insurance Reimbursement

REQUESTED BY: Constable Ayres

SPONSORED BY: SUMTER

SUMMARY:

This vehicle is a replacement vehicle for a vehicle that was involved in an accident last week. This vehicle is fully equipped with previous constable's equipment.

Agenda Item Routing Form

DESCRIPTION OF Item: Purchase the City of Wimberley's used City Marshall's fully equipped 2008 Chevy Tahoe for \$16,000.00 and amend the budget accordingly.

PREFERRED MEETING DATE REQUESTED: February 2, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT AND FUND LINE ITEM NUMBER: \$16,000 001-637-00.5711

COUNTY PURCHASING GUIDELINES FOLLOWED: _____ N/A _____

PAYMENT TERMS ACCEPTABLE: _____ Yes _____

COMMENTS: This will be funded from insurance proceeds.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205

AGENDA ITEM: Discussion and possible action to approve a salary increase for Bill Gephart in the Recycling and Solid Waste Department.

CHECK ONE: CONSENT ☒ ACTION ☐ EXECUTIVE SESSION

☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: \$2500.00

LINE ITEM NUMBER OF FUNDS REQUIRED: 001-716-00.5301

REQUESTED BY: Pinnix

SPONSORED BY: SUMTER

SUMMARY: Bill Gephart was hired 03/2008, is currently at \$22420 which is the 24.79th percentile of his grade 105. His last increase was 10/1/08 (3.79% merit) which put his salary to \$22420 (where he is now). A \$2500 increase would move him to the 50th percentile with a salary of \$24,920.

Charlie/Brandon was hired on 4/5/06 and his last increase was 10/01/08 (2.17% increase) putting him at the 38.17 percentile of a Grade 105. His current salary is \$23,754.

Teri was hired 1/18/07 and her last increase was 10/01/08 (2.6%) putting her at 26,044 (15.81 percentile) of a grade 107.

Greg was hired 11/10/03 and his last increase was 10/01/08 (15.93 percentile) putting him at \$28,664 of grade 108.

The increase can be absorbed in the departments budget.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m. on WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve award of Bid#2010-B01 Fischer Store Road Widening and Intersection Improvements for the RPTP department to Smith Contracting Co. Inc., and authorize the Judge to sign contract.

CHECK ONE: ☒ **X CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: \$149,165.50

LINE ITEM NUMBER OF FUNDS REQUIRED: 020-710-00.5448-010

REQUESTED BY: Herzog/Borcherding

SPONSORED BY: Sumter

SUMMARY: See Attached Bid Tabulation.

Agenda Item Routing Form

DESCRIPTION OF Item: Approve award of Bid#2010-B01 Fischer Store Road Widening and Intersection Improvements for the RPTP department to Smith Contracting Co. Inc., and authorize the Judge to sign contract.

PREFERRED MEETING DATE REQUESTED: February 2 , 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT AND FUND LINE ITEM NUMBER: \$149,165.50 020-710-00.5448-010

COUNTY PURCHASING GUIDELINES FOLLOWED: ____ Yes ____

PAYMENT TERMS ACCEPTABLE: ____ Yes ____

COMMENTS: This project is budgeted for \$120,000. An amendment may be necessary for the additional cost of \$ 29,165.50.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: ____

COMMENTS:

COMMISIONERS' COURT

APPROVED/DISAPPROVED AND DATE: ____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: ____

BID FORM

Date: 12-3, 2009

BID of Smith Contracting Co., Inc. an individual proprietorship, a corporation organized and existing under the laws of the State of Texas, or a partnership consisting of _____, for the construction of FISCHER STORE ROAD WIDENING AND INTERSECTION IMPROVEMENTS.

THIS BID IS SUBMITTED TO:

Hays County
Attn: Cindy Maiorka
111 E. San Antonio St., Suite 101
San Marcos, Texas 78666

1. The undersigned BIDDER proposes and agrees, if this BID is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid Price and within the Bid Times indicated in this BID and in accordance with the other terms and conditions of the Contract Documents. BIDDER accepts the terms of the form of Agreement and the Contract Documents.
2. BIDDER accepts all of the terms and conditions of the Invitation to BID and Instructions to Bidders including without limitation those dealing with the disposition of Bid Security. This BID will remain subject to acceptance for thirty (30) days after the day of BID opening. If BIDDER is the Successful Bidder, BIDDER will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within ten (10) calendar days after the date of OWNER's Notice of Award.
3. In submitting this BID, BIDDER represents and warrants that:
 - (a) BIDDER has examined and carefully studied the Bidding Documents and Addenda. BIDDER hereby acknowledges receipt of the following Addenda: (List Addenda by b Addendum Number and Date).

Addendum No.: # 1 Dated: 11/9/09
Addendum No.: # 2 Dated: 12-2-09
Addendum No.: _____ Dated: _____

- (b) BIDDER has visited the site, has conducted all testing at the site BIDDER deems necessary, has become familiar with, has taken into consideration in formulating its BID, and accepts the general, local and site conditions that may affect cost, progress, performance, and furnishing of the Work;
- (c) BIDDER is familiar with, has taken into consideration in formulating its BID and accepts all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.
- (d) BIDDER has obtained and carefully studied and is responsible for obtaining and studying any and all examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the Work, or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by BIDDER and safety precautions and programs incident thereto as may be necessary. BIDDER does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the determination of this BID for performance and furnishing of the Work in accordance with the times, price, and other terms and conditions of the Contract Documents.
- (e) BIDDER is aware of the general nature of work to be performed by OWNER and others at the site that relates to Work for which this BID is submitted as indicated in the Contract Documents.
- (f) BIDDER has correlated the information known to BIDDER, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- (g) BIDDER has given OWNER written notice of all conflicts, errors, ambiguities, or discrepancies that BIDDER has discovered in the Contract Documents, and the written resolution thereof by OWNER is acceptable to BIDDER; BIDDER has no questions regarding the Work; BIDDER has all information necessary to make a fully informed BID; and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this BID is submitted.
- (h) This BID is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association,

organization or corporation; BIDDER has not directly or indirectly induced or solicited any other BIDDER to submit a false or sham BID; BIDDER has not solicited or induced any person, firm, or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other BIDDER or over OWNER.

4. BIDDER is duly qualified to carry on business in the State of Texas; possesses or has the ability to possess all licenses, permits, and certificates of authority necessary to commence and to complete the Work in accordance with the Bidding Documents; is fully qualified and has experience in performing work of the same type as the Work covered by the Bidding Documents; and will provide all necessary labor, superintendence, machinery, equipment, tools, materials, services, and other means of construction to complete all work upon which BIDDER bids and complete said work within the time stated for the following base bid price.

TOTAL BASE BID AMOUNT

\$ 149,165.50

DOLLARS

One hundred forty nine thousand one hundred sixty-five dollars and fifty cents

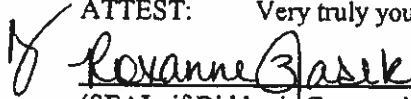
When changes in the work are ordered other than identified in the proposed base bid and add alternative involving an add or deduct to these prices, and when such work has been approved by the OWNER, in writing, the successful bidder agrees that the Contract Sum shall be adjusted according to the following unit prices.

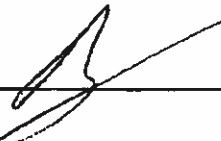
Unit prices cover the cost of all work and materials in place, complete, per drawing, and specifications and including, but not limited to all labor, materials, equipment, freight, taxes, insurance, overhead, profit, maintenance, and guarantee. All items in the unit price list shall meet all requirements of the plans, details, and written specifications.

NOTE: SOME OF THE ITEMS LISTED BELOW MAY NOT BE INCLUDED IN THE BASE BID, CONTRACTOR IS REQUESTED TO PROVIDE ALL UNIT PRICES ALLOWING THE OWNER THE OPTION TO ADD OR DELETE ITEMS.

5. BIDDER agrees to begin work promptly after written Notice to Proceed is given by OWNER and will finally complete the Work associated with the FISCHER STORE ROAD WIDENING AND INTERSECTION IMPROVEMENTS within sixty-four (64) working days.
6. BIDDER has enclosed with this BID the required Bid Security. BIDDER agrees that this amount is a measure of liquidated damages which OWNER will sustain by failure of the BIDDER to execute and deliver above named Agreement and Bonds, and not a penalty, and further agrees that this Bid Security shall be collected and retained by OWNER as liquidated damages in the event this BID is accepted by OWNER within sixty (60) days after opening of Bids, and BIDDER fails to execute the Agreement and the required Bonds with OWNER within ten (10) days after Contract Documents are received by BIDDER; otherwise said Bid Security shall be returned to the BIDDER in accordance with Paragraph 7 of Section 00100- Instruction to Bidders.

ATTEST: Very truly yours


(SEAL, if Bidder is Corporation)

By: 
(Signature)

Mack Smith
(Typed or Printed Name)

Title: President

Bidder: Smith Contracting Co., Inc
(Name of Company)

Address: 15308 Guinger St
Austin, Tx 78728

Telephone No.: 512-990-7640
Facsimile No.: 012-990-7855

Surety Company:
Address:

First National Insurance Co.
7100 W. Tidwell Suite 708
Houston, Tx 77040

Telephone No.:
Facsimile No.:

972-808-4772
972-808-4755

BID TABLE

ITEM NO	DESCRIPTION	UNIT	ESTIMATED QUANTITY	PRICE PER UNIT	AMOUNT
0100 2002	PREP ROW	STA	6	500.00	3,000.00
0104 2009	REMOVING CONC (RIPRAP)	SY	55	8.00	440.00
0105 2014	REMOVING STAB BASE & ASPH PAV (7"-12")	SY	378	5.00	1,890.00
0110 2001	EXCAVATION (ROADWAY)	CY	1,233	10.00	12,330.00
0132 2003	EMBANKMENT (FINAL) (ORD COMP) (TY B)	CY	116	10.00	1,160.00
0160 2003	FURNISHING & PLACING TOPSOIL (4")	SY	2,186	1.50	3,279.00
0164 2005	BROADCAST SEED (PERM) (URBAN) (SANDY)	SY	2,186	1.00	2,186.00
0168 2001	VEGETATIVE WATERING	MG	110	5.00	550.00
0169 2004	SOIL RETENTION BLANKETS (CL 1) (TY D)	SY	1,093	1.50	1,639.50
0305 2002	SALV, HAUL & STKPL RCL APH PV (0 TO 2")	SY	1,250	4.00	5,000.00
0310 2005	PRIME COAT (MC-30 OR AE-P)	GAL	471	4.00	1,884.00
0341 2011	D-GR HMA (QCQA) TY-B PG64-22	TON	776	75.00	58,200.00
0341 2034	D-GR HMA (QCQA) TY-C PG64-22	TON	376	75.00	28,200.00
0432 2001	RIPRAP (CONC) (4IN)	CY	2	500.00	1,000.00
0464 2024	RC PIPE (CL IV) (30 IN)	LF	40	60.00	2,400.00
0465 2006	MANH (COMPL) (JUNCT BOX) (TY M)	EA	1	5,000.00	5,000.00
0467 2290	SET (TYII) (30IN) (RCP) (6:1) (P)	EA	1	1,000.00	1,000.00
0496 2007	REMOV STR (PIPE)	LF	1	20.00	20.00
0500 2001	MOBILIZATION	LS	1	5,000.00	5,000.00
0502 2001	BARRICADES, SIGNS & TRAFFIC HANDLING	MO	4	500.00	2,000.00
0506 2002	ROCK FILTER DAMS (INSTALL) (TY 2)	LF	25	14.00	350.00
0506 2003	ROCK FILTER DAMS (INSTALL) (TY 3)	LF	65	35.00	2,275.00
0506 2009	ROCK FILTER DAMS (REMOVE)	LF	90	2.00	180.00
0506 2034	TEMPORARY SEDIMENT CONTROL FENCE	LF	1,115	2.00	2,230.00
0644 2001	INS SM RD SN SUP&AM TY 10BWG (1) SA (P)	EA	2	500.00	1,000.00
0666 2012	REFL PAV MRK TYI (W) 4" (SLD) (100MIL)	LF	1,035	2.00	2,070.00
0666 2036	REFL PAV MRK TYI (W) 8" (SLD) (100MIL)	LF	192	5.00	960.00
0666 2048	REFL PAV MRK TYI (W) 24" (SLD) (100MIL)	LF	25	10.00	250.00
0666 2111	REF PAV MRK TYI (Y) 4" (SLD) (100MIL)	LF	1,064	1.00	1,064.00
0666 2145	REF PAV MRK TYII (W) 4" (SLD)	LF	1,035	1.00	1,035.00
0666 2153	REF PAV MRK TYII (W) 8" (SLD)	LF	192	2.00	384.00
0666 2157	REF PAV MRK TYII (W) 24" (SLD)	LF	25	5.00	125.00
0666 2178	REF PAV MRK TYII (Y) 4" (SLD)	LF	1,064	1.00	1,064.00
TOTAL PROJECT				\$	149,165.50

CONTRACT

**STATE OF TEXAS
COUNTY OF HAYS**

WHEREAS, The attached "Bid Package" which includes the **Cover Sheet, Instructions, Specifications, and Bid Sheet(s)** for the item(s) being published for competitive bid, were solicited pursuant to Texas Local Government Code 262.021; and

WHEREAS, the Hays County Commissioners' Court as the governing body of Hays County did on _____, 20____ award a contract to Smith Contracting Co. Inc. (Vendor/Bidder) for furnishing the materials, equipment, supplies and/or services in quantities and at prices as set forth in the above-attached "Bid Package"; and

THEREFORE, Knowing all men by these present, that this contract is entered into by Hays County, Texas (hereinafter called "County") and the undersigned Vendor (hereinafter called "Vendor" or "bidder").

WITNESSETH

THAT IN ACCORDANCE with the above attached Bid Package in every particular, the Vendor will perform in accordance with the terms thereof and the County agrees to make payment for such items or services purchased on appropriate Purchase Orders in accordance with the items of said Bid Package which is made a part of this contract and incorporated herein for all purposes.

THAT IN ACCORDANCE with the attached the County's acceptance of equipment, supplies and services shall be contingent on (1) they conform, (2) they were delivered (if applicable), and (3) services have been satisfactorily performed in the sole determination of the County.

Prior Agreements Superseded

This Contract, with the entire Bid Package incorporated herein for all purposes, including any required supporting literature, brochures, and/or data sheets or sample, constitutes the sole agreements of the parties to the agreement and supersedes all oral or written previous and contemporary agreements between the parties and relating to matters herein.

Amendment

No amendment, modification or alteration of the terms of this contract shall be binding unless same is in writing, dated subsequent to the date of this contract, and duly executed by authorization representatives of each party.

IN TESTIMONY WHEREOF: Witness our hands at Hays County, Texas, effective as of the date awarded above, if any.

VENDOR

HAYS COUNTY

BY:


AUTHORIZED AGENT

BY

COUNTY JUDGE

ATTEST: _____

Linda Fritsche, Hays County Clerk

****Failure to sign the Contract page(s) may disqualify the bid from being considered by the Commissioners' Court. However, this contract is not valid until awarded in Commissioners' Court and signed by both parties.**

Vendor/Bidder's Affirmation

1. Vendor/Bidder affirms that they are duly authorized to execute this Contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other bidder, and that the contents of this bid as to price, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engages in this type of business prior to the official opening of this bid.
2. Vendor/Bidder hereby assigns to Purchaser any and all claims for overcharges associated with this Contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.
3. Pursuant to 262.076 (a) of the Texas Local Government Code, Vendor/Bidder, hereby affirms that Vendor/Bidder:

☐ Does not own taxable property in Hays County.

☒ Does not owe any ad valorem taxes to Hays County or is not otherwise indebted to Hays County.

Smith Contracting Co., Inc

Name of Contracting Company

Mack Smith

Contact Name

President

Title

15308 Ginger St

Mailing Address

Austin

City

Tx

State

78728

Zip Code

Signature of Company Official Authorizing Bid/Offer

Mack Smith - President

Printed Name

(512) 990-7640

Phone

(512) 990-7855

Fax

smithcontinc@att.net

E-mail address

BID BOND

KNOW ALL BY THESE PRESENTS, That we, Smith Contracting Company, Inc.

of Austin, Texas (hereinafter called the Principal),

as Principal, and First National Insurance Company of America

(hereinafter called the Surety), as Surety are held and firmly bound unto Hays County Purchasing

111 E. San Antonio Street Suite 101 San Marcos, TX 78666

(hereinafter called the Obligee) in the penal sum of Five Percent of Greatest Amount Bid

Dollars (5% GAB)

for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has submitted or is about to submit a proposal to the Obligee on a contract for Fischer Store Road Widening and Intersection Improvements

NOW, THEREFORE, If the said Contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the Contract in writing, and give bond, if bond is required, with surety acceptable to the Obligee for the faithful performance of the said Contract, then this obligation shall be void; otherwise to remain in full force and effect.

Signed and sealed this 3rd day of December, 2009.

Roxanne Zasek
Witness

Smith Contracting Company, Inc. (Seal)
Principal
[Signature] - President
Title

Canelia Doss
Witness

First National Insurance Company of America
By Robert James Nische
Robert James Nische Attorney-in-Fact





POWER
OF ATTORNEY

First National Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

KNOW ALL BY THESE PRESENTS:

No. 11429

That **FIRST NATIONAL INSURANCE COMPANY OF AMERICA**, a Washington corporation, does hereby appoint

*******DAVID P. FERGUSON; VIOLET FROSCHE; ROBERT JAMES NITSCHKE; ROBERT K. NITSCHKE; CRAIG PARKER;**
NINA K. SMITH; Giddings, Texas*****

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind **FIRST NATIONAL INSURANCE COMPANY OF AMERICA** thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, **FIRST NATIONAL INSURANCE COMPANY OF AMERICA** has executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of **FIRST NATIONAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - **FIDELITY AND SURETY BONDS** ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of
FIRST NATIONAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, **Dexter R. Legg**, Secretary of **FIRST NATIONAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 3rd day of December, 2009



Dexter R. Legg, Secretary

S-1049/DF 3/09

WEB PDF



State of Texas Surety Bond Claim Notice

In accordance with Section 2253.021(f) of the Texas Government Code and Section 53.202(6) of the Texas Property Code, any notice of claim to the named surety under this bond(s) should be sent to:

SAFECO Surety
Adams Building
4634 154th PL NE
Redmond, WA 98052

Mailing Address:
SAFECO Surety
PO Box 34754
Seattle, WA 98124

Phone: (425) 376-6535
Fax: (425) 376-6533

			Harris Road Co., Inc.		Smith Contracting Co., Inc.		Myers Concrete Construction		Diamond X Contracting, Inc.		Capital Excavation Co.		Lowden Excavating	
ITEM NO	DESCRIPTION	UNIT	EST QTY	PRICE PER UNIT	AMOUNT	PRICE PER UNIT	AMOUNT	PRICE PER UNIT	AMOUNT	PRICE PER UNIT	AMOUNT	PRICE PER UNIT	AMOUNT	AMC
0100 2002	PREP ROW	STA	6	\$ 1,490.00	\$ 8,940.00	\$ 500.00	\$ 3,000.00	\$ 627.00	\$ 3,762.00	\$ 820.00	\$ 4,920.00	\$ 4,350.00	\$ 26,000.00	\$ 1,532.00
0104 2009	REMOVING CONC (RIPRAP)	SY	55	\$ 18.00	\$ 990.00	\$ 8.00	\$ 440.00	\$ 33.00	\$ 1,815.00	\$ 12.40	\$ 682.00	\$ 21.00	\$ 1,155.00	\$ 21.16
0105 2014	REMOVING STRA BASE & ASPH PAV (7'-12")	SY	378	\$ 2.75	\$ 1,039.50	\$ 5.00	\$ 1,890.00	\$ 7.00	\$ 2,646.00	\$ 8.20	\$ 3,099.60	\$ 10.00	\$ 3,780.00	\$ 15.67
0110 2001	EXCAVATION (ROADWAY)	CY	1223	\$ 27.00	\$ 33,291.00	\$ 10.00	\$ 12,330.00	\$ 21.75	\$ 26,817.25	\$ 17.20	\$ 21,207.60	\$ 35.00	\$ 43,155.00	\$ 37.00
0132 2003	EMBANKMENT (FINAL) (TOD COMP) (TY B)	CY	116	\$ 15.00	\$ 1,740.00	\$ 10.00	\$ 1,160.00	\$ 2.45	\$ 2,804.20	\$ 8.40	\$ 974.40	\$ 39.00	\$ 4,524.00	\$ 21.83
0160 2005	FINISHING & PLACING TOPSOIL (4")	SY	2186	\$ 3.85	\$ 8,416.10	\$ 1.50	\$ 3,279.00	\$ 3.40	\$ 7,432.40	\$ 2.80	\$ 6,120.80	\$ 5.00	\$ 10,930.00	\$ 5.45
0164 2005	BROADCAST SEED (PERMAN) (URBAN) (SANDY)	SY	2186	\$ 0.17	\$ 369.69	\$ 1.00	\$ 2,186.00	\$ 0.60	\$ 1,311.60	\$ 0.65	\$ 1,420.90	\$ 0.14	\$ 306.04	\$ 1.45
0168 2001	VEGETATIVE WATERING	M/G	110	\$ 19.00	\$ 2,090.00	\$ 5.00	\$ 550.00	\$ 21.50	\$ 2,365.00	\$ 28.00	\$ 3,080.00	\$ 29.00	\$ 3,190.00	\$ 50.12
0305 2004	SOIL RETENTION BLANKETS (CL 1) (TY D)	SY	1250	\$ 1.27	\$ 1,587.50	\$ 1.50	\$ 1,875.00	\$ 1.75	\$ 2,187.50	\$ 5.20	\$ 6,500.00	\$ 6.00	\$ 7,500.00	\$ 1.38
0305 2002	SALT HAUL & STRIP RCL APH PV (10 TO 2")	TON	1093	\$ 9.30	\$ 11,625.00	\$ 4.00	\$ 5,000.00	\$ 92.00	\$ 1,912.75	\$ 3.20	\$ 3,497.60	\$ 1.45	\$ 1,584.85	\$ 7.20
0310 2005	PRIME COAT (MFC-30 OR AEP)	GAU	471	\$ 3.50	\$ 1,648.00	\$ 4.00	\$ 1,884.00	\$ 4.60	\$ 2,166.60	\$ 4.94	\$ 2,326.74	\$ 4.80	\$ 2,260.80	\$ 3.90
0341 2011	D-GH HMA (GCCA) TY-B PG64-22	TON	376	\$ 65.00	\$ 24,460.00	\$ 75.00	\$ 28,200.00	\$ 83.00	\$ 31,299.00	\$ 62.16	\$ 23,426.16	\$ 63.00	\$ 23,858.00	\$ 78.48
0432 2001	RIPRAP (CONC) (4IN)	CY	21	\$ 375.00	\$ 7,912.50	\$ 500.00	\$ 10,500.00	\$ 358.00	\$ 7,516.00	\$ 470.00	\$ 9,970.00	\$ 525.00	\$ 11,025.00	\$ 420.00
0464 2024	RC PIPE (CL) (V) (30 IN)	LF	40	\$ 73.00	\$ 2,920.00	\$ 60.00	\$ 2,400.00	\$ 136.00	\$ 5,440.00	\$ 53.85	\$ 2,154.00	\$ 101.74	\$ 4,069.60	\$ 151.41
0465 2006	MAH (COMPL) (JUNCT BOX) (TY M)	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 5,000.00	\$ 5,000.00	\$ 3,470.00	\$ 3,470.00	\$ 7,650.00	\$ 7,650.00	\$ 2,768.65	\$ 2,768.65	\$ 5,922.00
0467 2290	SET (TYH) (30IN) (RCP) (6.1) (P)	EA	1	\$ 1,450.00	\$ 1,450.00	\$ 1,000.00	\$ 1,000.00	\$ 1,910.00	\$ 1,910.00	\$ 2,625.00	\$ 2,625.00	\$ 1,838.20	\$ 1,838.20	\$ 1,545.00
0496 2007	REMOV STR (PIPE)	LF	1	\$ -	\$ -	\$ 20.00	\$ 20.00	\$ 602.00	\$ 602.00	\$ 15.00	\$ 285.00	\$ 50.00	\$ 50.00	\$ 690.00
0500 2001	MOBILIZATION	LS	1	\$ 7,450.00	\$ 7,450.00	\$ 5,000.00	\$ 5,000.00	\$ 3,680.00	\$ 3,680.00	\$ 15,882.48	\$ 15,882.48	\$ 25,000.00	\$ 25,000.00	\$ 13,922.00
0502 2001	BARRICADES, SIGNS & TRAFFIC HANDLING	M/O	4	\$ 1,200.00	\$ 4,800.00	\$ 500.00	\$ 2,000.00	\$ 1,890.00	\$ 7,560.00	\$ 1,086.75	\$ 4,347.00	\$ 5,868.08	\$ 23,472.32	\$ 15,840.00
0506 2002	ROCK FILTER DAMS (INSTALL) (TY 2)	LF	25	\$ 19.25	\$ 481.25	\$ 14.00	\$ 350.00	\$ 30.00	\$ 750.00	\$ 25.00	\$ 625.00	\$ 20.00	\$ 500.00	\$ 23.40
0506 2003	ROCK FILTER DAMS (REMOVE)	LF	65	\$ 43.12	\$ 2,802.80	\$ 35.00	\$ 2,275.00	\$ 40.00	\$ 2,600.00	\$ 38.20	\$ 2,483.00	\$ 38.50	\$ 2,502.50	\$ 31.80
0506 2009	TEMPORARY SEDIMENT CONTROL FENCE	LF	90	\$ 10.78	\$ 970.20	\$ 2.00	\$ 180.00	\$ 5.35	\$ 481.50	\$ 10.00	\$ 900.00	\$ 9.00	\$ 810.00	\$ 13.20
0506 2034	ROCK FILTER DAMS (REMOVE)	LF	1115	\$ 2.30	\$ 2,564.50	\$ 2.00	\$ 2,230.00	\$ 1.75	\$ 1,951.25	\$ 2.70	\$ 3,010.50	\$ 2.05	\$ 2,287.50	\$ 2.34
0644 2001	INS SM RO SN SUPRAM TY 10BWG (1) SA (P)	EA	21	\$ 412.50	\$ 8,662.50	\$ 500.00	\$ 10,500.00	\$ 575.00	\$ 11,150.00	\$ 456.75	\$ 9,591.75	\$ 435.00	\$ 9,150.00	\$ 640.00
0666 2012	REFL PAV MARK TY (W) 4" (SLD) (100MM)	LF	1035	\$ 0.94	\$ 967.73	\$ 2.00	\$ 2,070.00	\$ 1.30	\$ 1,345.50	\$ 1.58	\$ 1,635.30	\$ 1.50	\$ 1,552.50	\$ 1.80
0666 2036	REFL PAV MARK TY (W) 8" (SLD) (100MM)	LF	192	\$ 1.87	\$ 359.04	\$ 5.00	\$ 960.00	\$ 2.60	\$ 499.20	\$ 3.78	\$ 725.76	\$ 3.60	\$ 691.20	\$ 1.90
0666 2113	REF PAV MARK TY (W) 4" (SLD) (100MM)	LF	25	\$ 5.61	\$ 140.25	\$ 10.00	\$ 250.00	\$ 7.80	\$ 195.00	\$ 7.56	\$ 189.00	\$ 7.20	\$ 180.00	\$ 7.20
0666 2145	REF PAV MARK TY (W) 4" (SLD)	LF	1064	\$ 0.94	\$ 994.84	\$ 1.00	\$ 1,064.00	\$ 0.55	\$ 583.25	\$ 0.68	\$ 703.80	\$ 0.65	\$ 672.75	\$ 0.60
0666 2153	REF PAV MARK TY (W) 8" (SLD)	LF	192	\$ 0.39	\$ 75.48	\$ 1.00	\$ 1,064.00	\$ 0.55	\$ 583.25	\$ 0.68	\$ 703.80	\$ 0.65	\$ 672.75	\$ 0.60
0666 2157	REF PAV MARK TY (W) 24" (SLD)	LF	25	\$ 2.31	\$ 57.75	\$ 2.00	\$ 384.00	\$ 1.05	\$ 201.60	\$ 1.84	\$ 353.28	\$ 1.75	\$ 356.00	\$ 0.80
0666 2178	REF PAV MARK TY (W) 4" (SLD)	LF	1064	\$ 0.39	\$ 409.64	\$ 1.00	\$ 1,064.00	\$ 0.55	\$ 583.25	\$ 0.68	\$ 703.80	\$ 0.65	\$ 672.75	\$ 0.60
	TOTAL PROJECT			\$ 179,896.75	\$ 149,165.50	\$ 189,190.50	\$ 174,707.29	\$ 250,725.76	\$ 246					

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve additional funds for continuing education for Justice of Peace Pct 1-1 and amend budget from within department

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 2, 2010

AMOUNT REQUIRED: \$337.

**LINE ITEM NUMBER OF FUNDS REQUIRED: \$337 from 001-625-00.5235 Time Payment
\$337 to 001-625-00.5551 Continuing Ed.**

REQUESTED BY: Judge Prado/Auditor's Office

SPONSORED BY: Ingalsbe

SUMMARY: Continuing ed. Line is -0-; this will allow balance of Judge's expenses for training, and (2) clerks' training later this spring.

TO MOVE WITHIN SAME CATEGORY:

- ① Salary & Related
- ② Supplies & SVCS
- ③ Continuing ED
- ④ EQPT & Related

Line-item Budget Amendment

(*must be within the same category)

Date: 01/26/10

Please make the following line-item transfer(s) to my departmental budget as stated below;

FUND: 001

DEPT: 625 JUSTICE of Peace 1-1

	ACCT. #	DESCRIPTION	AMOUNT
From:	001-625-00-5235	TIME PMT	(337)
To:	001-625-00-5551	Continuing ED	337
Reason:	transf for training travel; (2) clerks training April/May		
From:			
To:			
Reason:			
From:			
To:			
Reason:			
From:			
To:			
Reason:			

X [Signature]
Signature
Elected Official/Department Head
(if emailing form, please type name in signature field)

Date Received in Auditor's Office: _____

Date Entered into System: _____

Signature
County Auditor's Office

*interoffice form or email to Berry James @ bjames@co.hays.tx.us FAX 512-393-2279

(*category amendments must be approved by the Court - contact the Judge's office for agenda item)

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

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no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve the purchase of an antique display cabinet from an auction and not to exceed the amount of \$1000.00

CHECK ONE: ☒ **X CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: February 9, 2010

AMOUNT REQUIRED: \$1000.00

LINE ITEM NUMBER OF FUNDS REQUIRED: 001-676-00.5711

REQUESTED BY: Herzog/Johnson

SPONSORED BY: Sumter

SUMMARY: The cabinet will be placed in the rotunda to display the Historical Books and DVD's that are for sale.

Agenda Item Routing Form

DESCRIPTION OF Item: Approve the purchase of an antique display cabinet from an auction and not to exceed the amount of \$1000.00 and amend the budget accordingly.

PREFERRED MEETING DATE REQUESTED: February 2, 2010

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT AND FUND LINE ITEM NUMBER: \$1,000 001-676-00.5711

COUNTY PURCHASING GUIDELINES FOLLOWED: _____ N/A _____

PAYMENT TERMS ACCEPTABLE: _____ N/A _____

COMMENTS: The budget will be amended from the "general supplies" line item in the Historical Commission's budget.

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Pursuant to Open Meetings Act, Texas Government Code 551.074, executive session to discuss personnel matters and to deliberate the evaluation of all individual department heads.

CHECK ONE: **CONSENT** **ACTION** **x EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐

PRESENTATION

PREFERRED MEETING DATE REQUESTED: Tuesday, February 2, 2010

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: Sumter

SUMMARY:

Scheduled for February 2: Borcharding

